

Application Serial No. 10/626,908  
Reply to Office Action of January 14, 2008

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JUL 14 2008 PATENT  
Docket: CU-5972

#### REMARKS

In the Office Action, dated January 14, 2008, the Examiner states that Claims 1, 2 and 7-14 are pending and rejected. By the present Amendment, Applicant amends the claims.

##### 1. Rejection of Claims 1, 2 and 7-14 under 35 USC 103(a)

Claims 1, 2 and 7-14 are rejected under 35 USC 103(a) as obvious over Otaki et al. (US 2004/0253521) in view of Killey (US 5,342,672) for the reasons of record. Applicant respectfully disagrees with and traverses this rejection.

Otaki et al. was filed in the US on January 10, 2003, and was published on December 16, 2004. Although the US filing date of the present application is July 25, 2003, it claims priority from JP 2002-217432, which was filed in Japan on July 26, 2002. Please find submitted with this response a certified English translation of JP 2002-217432. Since the present application predates Otaki et al., Applicant respectfully requests withdrawal of the rejection of Claims 1, 2 and 7-14 under 35 USC 103(a).

##### 2. Rejection of Claims 8, 10, 12 and 14 under 35 USC 103(a)

Claims 8, 10, 12 and 14 are rejected under 35 USC 103(a) as obvious over Morii et al. (US 6,086,378) in view of Killey for the reasons of record. Solely in the interest of advancing prosecution and without prejudice or disclaimer of the subject matter therein, Applicant has cancelled Claims 8, 10, 12 and 14 rendering the instant rejection moot. As such, Applicant respectfully requests withdrawal of the rejection of Claims 8, 10, 12 and 14 under 35 USC 103(a).

##### 3. Rejection of Claims 1, 2 and 7-14 under 35 USC 103(a)

Claims 1, 2 and 7-14 are rejected under 35 USC 103(a) as obvious over Shioda et al. (EP 1 022 625) in view of Killey and Morii et al. for the reasons of record. Applicant respectfully disagrees with and traverses this rejection.

The Office Action considers that it would have been obvious to a person of ordinary skill in the art to add particles as taught by Morii et al., in view of Killey, to the heat-sensitive adhesive layer of the hologram transfer film of Shioda et al. However, none of Shioda et al., Morii et al., or Killey teach or suggest the features as recited in instant Claim 1. Specifically, these references do not teach or suggest the

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heat sensitive adhesive layer having a breaking strain at 25 °C in a range of 0.5% to 15%, nor do they teach or suggest that a difference in the breaking strain at 25 °C between the volume hologram layer and the heat sensitive adhesive layer is 7.5% or less.

In the volume hologram transfer foil of the present invention, the respective breaking strain at 25 °C of the volume hologram layer and the heat sensitive adhesive layer is in a range of 0.5% to 15%, and a difference in the breaking strain at 25 °C between the two layers is 7.5% or less. The present invention thus realizes excellent foil cutting properties.

The Office Action considers that, in view of Killey, it would have been obvious to one of ordinary skill in the art to add particles as taught by Morii et al. to the heat sensitive adhesive layer of the hologram transfer film of Shioda et al.

As shown in the Experimental Record (attached to this response), the representative breaking strain at 25 °C of the volume hologram layer and the heat sensitive adhesive layer were actually measured regarding the volume hologram transfer film comprising particles of Morii et al. added to the heat sensitive adhesive layer of the hologram transfer film disclosed in Shioda et al. The result shows that the respective breaking strain did not fall into the values specified in the rejected claims. Therefore, Applicant respectfully asserts that rejected Claim 1 is not obvious over the combination of Killey, Morii et al., and Shioda et al.

Since independent Claim 1 is patentable over the prior art, all claims depending therefrom should be patentable by virtue of their dependency on a patentable independent claim, as well as for the features that they recite.

As such, Applicant respectfully requests withdrawal of the rejection of Claims 1, 2 and 7-14 under 35 USC 103(a).

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In light of the foregoing response, all the outstanding objections and rejections are considered overcome. Applicant respectfully submits that this application should now be in condition for allowance and respectfully requests favorable consideration.

• Respectfully submitted,

July 14, 2008

Date



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